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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/077,337	05/27/98	DRUMMOND	J D1077

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RALPH E JOCKE
231 SOUTH BROADWAY
MEDINA OH 44256

EXAMINER
SOFOCLEOUS, M

ART UNIT	PAPER NUMBER
2761	8

DATE MAILED: 02/17/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

☐ Responsive to communication(s) filed on _____

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire ____3____ month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) *1-34* _____ is/are pending in the application.

    Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) *1, 4-20, and 25-34* _____ is/are rejected.

☒ Claim(s) *2, 3, and 21-24* _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☒ The proposed drawing correction, filed on ___*14 Apr 1999*___ is ☒ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

    ☐ All ☐ Some* ☐ None   of the CERTIFIED copies of the priority documents have been

        ☐ received.

        ☐ received in Application No. (Series Code/Serial Number) _____ .

        ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    *Certified copies not received: _____

☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). ___*4*___

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

DETAILED ACTION

Drawings

1.   The drawings are objected to because Figure 1, Items 12, 14, 20, 22, 24, 26 and 28 lack a

description and Figure 2, Items 32, 52, 54, 56, 58, 60, 62, 109, 110 lack a description.

Correction is required.

Specification

2.   This application does not contain an abstract of the disclosure as required by 37

CFR 1.72(b). An abstract on a separate sheet is required.

3.   The use of the trademark Sun Microsystems and JAVA has been noted in this application.

It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature

of the marks should be respected and every effort made to prevent their use in any manner which

might adversely affect their validity as trademarks.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

4.   Claims 1, 6, 10-14 and 31-34 are rejected under 35 U.S.C. 102(e) as being anticipated by

Bernstein et al. (U.S. Patent No. 5,761,071, hereinafter "Bernstein").

With respect to claims 1, 6 and 10-14, Bernstein teaches that an automated teller machine

(ATM)is a kiosk (Col. 1, lines 10-14) and the examiner asserts that it is well known in the art that

an ATM comprise an output device (i.e. display), input device (i.e. key pad or card reader) and a

sheet dispenser mechanism. Bernstein further teaches that said kiosk comprises a microprocessor.

memory and storage devices (Col. 4, lines 9-15) and that Bernstein teaches printing operations

(See Figure 4, Item 47; Col. 5, lines 37-45).   Additionally Bernstein teaches that the computer

operates Netscape Navigator (Col. 4, lines 14-15), or any other web browser (Col. 4, lines 55-59)

and one of ordinary skill would readily recognize that a web browser sends, receives and

translates HTML documents.

As discussed above, Bernstein teaches a "Print" button on the Browser in Figure 4 Item

47 and teaches that [d]epending upon the button image touched...the browser is instructed by the

GUI control software to perform the corresponding function. (Col. 5, lines 42-45)

The examiner also asserts that one of ordinary skill would readily realize that a sheet

dispenser or printer mechanism would be in operative contact with claimed device application

since Bernstein teaches that a kiosk may be an ATM (Col. 1, lines 10-14). As stated previously.

one of ordinary skill would realize that a sheet dispenser would be part of an ATM and that

Bernstein teaches that [d]epending upon the button image touched...the browser is instructed by

the GUI control software to perform the corresponding function. (Col. 5, lines 42-45) therefore. if

a user presses the print button, the kiosk will print and dispense a sheet.

With respect claims 31-34, the limitations of claims 31-34 are discussed in the rejection of claims

and, therefore, will not be repeated.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 4-5, 7-9, 15-20 and 25-30 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Bernstein.

With respect to claims 4, 5, and 17, the examiner takes "Official Notice" that either the Web

Browser or the device application portion communicate or applets using TCP/IP through IP

ports, as claimed by the applicant. Due to the ubiquitous nature of the Internet, one of ordinary

skill would realize that packets of information, or data, is sent through the Internet, or any

network, using TCP/IP. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to have a Web Browser or device application portion transmitting messages through the Internet, or any network, since that is the standard to which information is sent. Only the obvious and expected results would have been obtained.

With respect to claims 7-9 and 15, the examiner takes "Official Notice" that embedded instructions, JAVA and applets are notoriously well known within the art. There are many purposes of embedded instructions, such as printing, assembly code and for pointers in databases. Embedded instructions allows a program to run faster and/or more efficiently. The purpose of JAVA is that it is a write once, run anywhere type of language, meaning that JAVA may be run on a variety of computer platforms and that the computer does not have to store the program and applets are well known to be written in JAVA among other languages. Furthermore, JAVA is notoriously well known to be used in Internet Browsers, such as Netscape Navigator and Microsoft Internet Explorer.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate embedded instructions or JAVA since embedded instructions allows a program to run faster and/or more efficiently and that JAVA can be run on a variety of platforms. Only the obvious and expected results would have been obtained.

network, using TCP/IP. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to have a Web Browser or device application portion transmitting messages through the Internet, or any network, since that is the standard to which information is sent. Only the obvious and expected results would have been obtained.

With respect to claims 7-9 and 15, the examiner takes "Official Notice" that embedded instructions, JAVA and applets are notoriously well known within the art. There are many purposes of embedded instructions, such as printing, assembly code and for pointers in databases. Embedded instructions allows a program to run faster and/or more efficiently. The purpose of JAVA is that it is a write once, run anywhere type of language, meaning that JAVA may be run on a variety of computer platforms and that the computer does not have to store the program and applets are well known to be written in JAVA among other languages. Furthermore, JAVA is notoriously well known to be used in Internet Browsers, such as Netscape Navigator and Microsoft Internet Explorer.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate embedded instructions or JAVA since embedded instructions allows a program to run faster and/or more efficiently and that JAVA can be run on a variety of platforms. Only the obvious and expected results would have been obtained.

With respect to claim 16, Bernstein teaches that [d]epending upon the button image touched...the browser is instructed by the GUI control software to perform the corresponding function. (Col. 5, lines 42-45) however, fails to teach that the control software interfaces with an applet. As discussed previously, applets are notoriously well known in the art. The examiner refers the applicant back to the rejection of claims 7-9 for motivation.

With respect to claims 18-20 and 25-29, Bernstein teaches that a kiosk is an ATM (Col. 1, lines 10-14). It is well known that ATMs connect to a network in order to determine if money is present in the account to dispense to a user. Bernstein fails to teach the server relationship as claimed by the applicant, whether it be a proxy, home or foreign server, and fails to teach a WAN or screening software. Due to the ubiquitous nature of the Internet, the examiner takes "Official Notice" that one of ordinary skill would recognize that a kiosk used for web browsing would have servers since servers are an essential part of the Internet, or a WAN. Furthermore, "Official Notice" is taken that screening software used to prevent a machine from accessing a URL is well known within the art. Corporations use screening software to prevent access to sites which are not authorized, preventing the viewing of its contents. Therefore, it would have been obvious to use servers, WANs and screening software for an ATM that is connected since servers are well known to be connected to the Internet. Only the obvious and expected results would have been obtained.

With respect to claim 30, "Official Notice" is taken that limiting the amount of sheets dispensed is well known in the art. In case of malfunction, the operator of the machine does not want the machine to continuously dispense sheets to the user. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate monitor software in case of malfunction.

Allowable Subject Matter

6.   Claims 2-3, 21-24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

7.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Sofocleous whose telephone number is (703) 306-3018.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor. E. Todd Voeltz, can be reached at (703)305-9714.

Any response to this action should be mailed to:

            Commissioner of Patents and Trademarks

            Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 305-9508 (for informal or draft communications, please label "PROPOSED"

or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal

Drive, Arlington. VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to

the Group Receptionist whose telephone number is (703)305-3900.

David Sofocleous

January 9, 2000

EMANUEL TODD VOELTZ
SUPERVISORY PATENT EXAMINER
GROUP 2700